

SUBSTITUTE FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER
12683-003001U.S. APPLICATION NO. (If Known, see 37 CFR
1.5)
09/744,531INTERNATIONAL APPLICATION NO.
PCT/IB99/01326INTERNATIONAL FILING DATE
27 July 1999PRIORITY DATE CLAIMED
29 July 1998

TITLE OF INVENTION

BENEFICIATION OF TITANIA SLAG BY OXIDATION AND REDUCTION TREATMENT

APPLICANT(S) FOR DO/EO/US Jacobus Philippus Van Dyk, Nanne Mattheus Vegter, Cornelia Petronella Visser, Thomas De Lange, John David Winter, Ernest Alan Walpole, and Johannes Nell,

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern other documents or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - ☒ Recordation Form Cover Sheet
 - ☒ Transmittal Letter and Petition for Automatic Extension (\$648 additional claims; \$110 1-month extension)
 - ☐
 - ☐
 - ☐

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No.

EL 85674715948

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

6-15-01

Signature

*Josh Cronin*Typed Name of
Person Signing

Josh Cronin



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO. 09/744531	FIRST NAMED APPLICANT LANGE J	ATTY. DOCKET NO. 12683-003001
RECEIVED APR 02 2001 FISH & RICHARDSON, P.C. BOSTON OFFICE		INTERNATIONAL APPLICATION NO. PCT/IB99/01326
		I.A. FILING DATE 27 JUL 99
TIMOTHY A FRENCH FISH & RICHARDSON 225 FRANKLIN STREET BOSTON, MA 02110 2804		PRIORITY DATE 29 JUL 98

DATE MAILED: 29 MAR 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

<input checked="" type="checkbox"/> U.S. Basic National Fee.	<input type="checkbox"/> Indication of Small Entity Status	Docketed By Practice Systems Application is in English/Missing Requirements Basic English. 3-29-01 Due Date: 5-29-01 Deadline: 9-29-01 Initial: JMG
<input checked="" type="checkbox"/> Copy of the international application.	<input type="checkbox"/> Translation of the international application into English.	
<input checked="" type="checkbox"/> Oath or Declaration of inventor(s).	<input type="checkbox"/> Translation of Article 19 amendment into English.	
<input type="checkbox"/> Copy of Article 19 amendments.	<input type="checkbox"/> Other:	
<input checked="" type="checkbox"/> Priority Document.		
<input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes.		
<input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.		

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

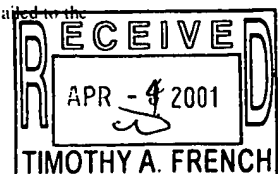
A copy of this notice MUST be returned with this response.

- Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☐ PCT/DO/EO/920

Barbara A. Campbell

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3631



Rec'd PCT/PTO 15 JUN 2001

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Jacobus Philippus Van Dyk et al.
Serial No. : 09/744,531
Filed : January 25, 2001
International Appl. No.: PCT/IB99/01326
International Filing Date: 27 July 1999
Title : BENEFICATION OF TITANIA SLAG BY OXIDATION AND REDUCTION
TREATMENT

BOX PCT

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371
mailed March 29, 2001, Applicant as a large entity submits herewith the following:

- ☐ Payment of the basic filing fee of \$0;
- ☒ Payment of the additional/multiple dependent claims fees of \$648;
- ☒ Payment of the surcharge of \$130 for late filing of the basic filing fee and/or declaration.
- ☒ A check in the total amount of \$130 is attached.
- ☐ A Verified Statement Claiming Small Entity Status;
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- ☐ A verified English translation of the application and payment of the \$0 fee required under 37 CFR §1.17(k); and

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL 856747759US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

June 15, 2001

Date of Deposit

Signature

Joshua B Cronin
Joshua Cronin

Typed or Printed Name of Person Signing Certificate

Applicant : Jacobus Philippus van Dyk et al.
Serial No. : 09/744,531
Filed : January 25, 2001
Page : 2

Attorney's Docket No.: 12683-003001 / RGuthrie/ml
P15109US00

Transmittal Letter and Petition for Automatic Extension, check in the amount of \$758.00 (\$648.00 for additional claims; \$110.00 for 1-month extension).

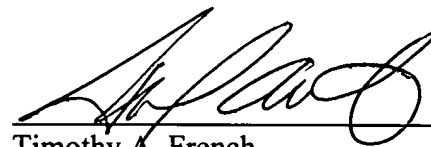
Recordation Form Cover Sheet; Assignment; \$40.00 recordal fee.

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date:

June 15, 2001



Timothy A. French
Reg. No. 30,175

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

20276384.doc

06/20/2001 MINGUYEN 00000114 09744531

04 FC:115

110.00 OP